

AMENDED IN ASSEMBLY AUGUST 24, 2012

AMENDED IN SENATE JANUARY 4, 2012

AMENDED IN SENATE APRIL 28, 2011

SENATE BILL

No. 912

Introduced by Senator Lieu

February 18, 2011

~~An act to repeal and add Section 9600.5 of the Unemployment Insurance Code, relating to employment. An act to amend Sections 7026.12 and 7057 of the Business and Professions Code, and to add Section 13110 to the Health and Safety Code, relating to fire protection.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 912, as amended, Lieu. ~~Employment Development Department: training expenditure reports. Contractors: fire safety: State Fire Marshal.~~

Existing law, the Contractors' State License Law, provides for the licensure and regulation of contractors by the Contractors' State License Board.

Under existing law, the installation of a fire protection system is required to be performed by a contractor holding a fire protection contractor classification or by a specified owner-builder if certain requirements are met.

This bill would authorize the installation of a residential fire protection system for new construction of single-family or 2-family dwellings to be performed by a contractor holding a fire protection contractor classification, a general building contractor, or a plumbing contractor.

Existing law requires the Office of the State Fire Marshal to be administered by the State Fire Marshal. Existing law authorizes the State Fire Marshal to adopt regulations in specified circumstances and requires the State Fire Marshal to aid in the enforcement of building standards adopted by the State Fire Marshal and published in the State Building Standards Code relating to fires or to fire prevention and protection.

This bill would provide the State Fire Marshal with the authority to adopt and administer the regulations and building standards, for all occupancy buildings, that he or she deems necessary in order to ensure fire safety in buildings and structures and would specify that those building standards are subject to certain requirements.

~~Existing law requires the director of the Employment Development Department to provide an annual report, no later than November 30, to the Governor, the Legislature, and the California Workforce Investment Board, regarding the training expenditures made by local workforce investment boards in the prior fiscal year. Existing law also requires that the department identify what expenditures qualify as training expenditures, as specified.~~

~~This bill would remove this reporting requirement and instead require the Employment Development Department to provide a report, within 6 months after the end of the 2nd program year of the 2-year period of availability for expenditure of federal Workforce Investment Act of 1998 funds, to the Governor, the Legislature, and the California Workforce Investment Board, regarding the training expenditures made by local workforce investment boards in the prior 2 program years. This bill would also require the report to identify the amount of any leveraged funds expended by the local workforce investment boards for training services.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7026.12 of the Business and Professions
- 2 Code is amended to read:
- 3 7026.12. (a) The installation of a fire protection system,
- 4 excluding an electrical alarm system, shall be performed only by
- 5 a contractor holding a fire protection contractor classification as
- 6 defined in the regulations of the board or by an owner-builder of

1 an owner-occupied, single-family dwelling, if not more than two
2 single-family dwellings on the same parcel are constructed within
3 one year, plans are submitted to and approved by the city, county,
4 or city and county authority, and the city, county, or city and county
5 authority inspects and approves the installation.

6 *(b) The installation of a residential fire protection system for*
7 *new construction of single-family or two-family dwellings may be*
8 *performed by a contractor holding a fire protection contractor*
9 *classification, a general building contractor, or a plumbing*
10 *contractor as defined in this chapter and board regulations.*

11 *SEC. 2. Section 7057 of the Business and Professions Code is*
12 *amended to read:*

13 7057. (a) Except as provided in this section, a general building
14 contractor is a contractor whose principal contracting business is
15 in connection with any structure built, being built, or to be built,
16 for the support, shelter, and enclosure of persons, animals, chattels,
17 or movable property of any kind, requiring in its construction the
18 use of at least two unrelated building trades or crafts, or to do or
19 superintend the whole or any part thereof.

20 This does not include anyone who merely furnishes materials
21 or supplies under Section 7045 without fabricating them into, or
22 consuming them in the performance of the work of the general
23 building contractor.

24 (b) A general building contractor may take a prime contract or
25 a subcontract for a framing or carpentry project. However, a general
26 building contractor shall not take a prime contract for any project
27 involving trades other than framing or carpentry unless the prime
28 contract requires at least two unrelated building trades or crafts
29 other than framing or carpentry, or unless the general building
30 contractor holds the appropriate license classification or
31 subcontracts with an appropriately licensed contractor to perform
32 the work. A general building contractor shall not take a subcontract
33 involving trades other than framing or carpentry, unless the
34 subcontract requires at least two unrelated trades or crafts other
35 than framing or carpentry, or unless the general building contractor
36 holds the appropriate license classification. The general building
37 contractor may not count framing or carpentry in calculating the
38 two unrelated trades necessary in order for the general building
39 contractor to be able to take a prime contract or subcontract for a
40 project involving other trades.

(c) No general building contractor shall contract for any project that includes the “C-16” Fire Protection classification as provided for in Section 7026.12 *other than a residential fire protection system for single-family or two-family dwellings* or the “C-57” Well Drilling classification as provided for in Section 13750.5 of the Water Code, unless the general building contractor holds the appropriate license classification, or subcontracts with the appropriately licensed contractor.

SEC. 3. Section 13110 is added to the Health and Safety Code, to read:

13110. Notwithstanding any other provision of this part, the State Fire Marshal shall have the authority to adopt and administer the regulations and building standards, for all occupancy buildings, that he or she deems necessary in order to ensure fire safety in buildings and structures within this state. Building standards shall be submitted to the State Building Standards Commission for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13.

SECTION 1. ~~Section 9600.5 of the Unemployment Insurance Code is repealed.~~

SEC. 2. ~~Section 9600.5 is added to the Unemployment Insurance Code, to read:~~

~~9600.5. Beginning with the 2012 program year, the Employment Development Department shall report to the Governor, the Legislature, and the California Workforce Investment Board, within six months after the end of the second program year of the two-year period of availability for expenditure of federal Workforce Investment Act of 1998 funds, the training expenditures made by local workforce investment boards in the prior two program years. The report shall specify the total amount of federal funding provided to the state and to each of the local workforce investment areas for the adult and dislocated persons programs and the amount within each program expended for training services, as defined in Section 14211. The report shall also specify the amount of any leveraged funds, as defined in Section 14211, expended by the local workforce investment boards for training services.~~